

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

W.C. HERAEUS GMBH (a German corporation), and HERAEUS INCORPORATED (a Delaware corporation),

Plaintiffs,

v.

MARJORIE JOY LYNN as Personal Representative for the ESTATE OF DAVID MARK LYNN and as Trustee of the MARK AND MARJORIE LYNN REVOCABLE TRUST, LYNN PLASMA, INC. (an Idaho corporation), NXEDGE, INC. (a Delaware corporation) and NXEDGE INC. OF BOISE (a Delaware corporation)

Defendants.

C.A. No. 04-904 (KAJ)

JOINT STIPULATION AND ORDER OF DISMISSAL

IT IS HEREBY STIPULATED by and between all parties to this action that this action, including all claims and counterclaims, be dismissed with prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure. This dismissal is pursuant to the parties' February 24, 2006 Settlement Agreement and, except as identified in said Settlement Agreement, all parties shall bear their own costs and attorneys' fees. This Court shall retain jurisdiction to enforce the aforementioned Settlement Agreement.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP CONNOLLY BOVE LODGE & HUTZ

/s/ *Leslie A. Polizoti*

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personal representative for the Estate of David
Mark Lynn and as Trustee of the Mark and
Marjorie Lynn Revocable Trust, Lynn Plasma,
Inc., NxEdge, Inc. and NxEdge, Inc. of Boise*

IT IS SO ORDERED this _____ day of _____, 2006.

The Honorable Kent A. Jordan
UNITED STATES DISTRICT JUDGE

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